

DD/A Registry
File *Medical*

DD/A 75-3571

31 JUL 1975

MEMORANDUM FOR: Director of Security
Director of Medical Services
Director of Personnel
General Counsel

SUBJECT : Civil Service Commission Guidelines
on Homosexuality

Attached you will find the Civil Service Commission's recent opinions and guidelines on the subject. Also attached are the Acting Director of Personnel's comments regarding these guidelines. I think Personnel's advice is well taken and it is appropriate that the Agency develop a policy on this for handling not only our applicant cases, but also on-board employees, should the situation occur. We call this to your attention now in hopes that over the next few weeks you can develop your thinking on this subject and be prepared to join with us sometime in September to formulate the Agency's policy.

/s/ JOHN N. McMAHON

John N. McMahon
Associate Deputy Director
for
Administration

Atts

Distribution:

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Atts: Cy of CSC Guidelines +
DD/A 75-3380: Memo dtd 21 Jul 75
to Acting DDA fr Acting D/Pers,
same subj

ADD/A:JNMcMahon:kmg (31 Jul 75)

21 JUL 1975

MEMORANDUM FOR: Acting Deputy Director for Administration

SUBJECT : Civil Service Commission Guidelines on Homosexuality

1. You have asked for an Agency impact assessment resulting from the Civil Service Commission's newly published employment guidelines on homosexuality.
2. As you know, historically the Agency has refused to employ an applicant known to be a homosexual and has terminated the employment of individuals found to be homosexuals after their EOD. These situations have been dealt with by the Office of Security who has security disapproved such an applicant or removed the security clearance of a homosexual employee. It has always been their position that homosexual activity by an individual over the age of 18 years, unless considered an isolated incident involving mitigating circumstances, is grounds for denial of employment or discharge.
3. It is the position of the Office of Security that the Agency should continue to maintain its current position on homosexuality thus giving the benefit of any doubt to the protection of the national interest and the Agency. In their opinion, there are too many well-documented instances in the past which prove that sexual "abnormalities", including homosexuality, have been the lever by which individuals have been persuaded to behave contrary to the best interests of their country.
4. The Office of Personnel is less certain than the Office of Security in this matter. We feel that even if the Office of Security's position prevails as Agency policy there is a clear difference between the rejection of a homosexual applicant and the termination of an Agency employee, with a good record, whose homosexuality surfaces after years of latency. If that kind of a homosexual employee should resist termination, we suspect that a "total prohibition" policy would be subject to critical challenge.

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in the court. On the other hand, if a homosexual applicant were allowed to EOD there may well be an impact on the employees with whom he will work. It is difficult for us to assess this impact without further study.

5. Time has not permitted us to obtain the Office of Medical Services views on this subject and they certainly are important. This is especially true with regard to the impact of a homosexual and a non-homosexual working side-by-side. Neither have we solicited the views of other senior Agency officials, Office Heads and the like which also would have an important bearing on assessing the impact of hiring homosexuals or allowing them to remain on board after discovery. Finally, we would certainly recommend that the Office of General Counsel be asked for a legal opinion on our ability to maintain a total prohibition policy concerning homosexual applicants and employees.

6. Because of the importance of this matter we suggest it be pursued, in depth, within the Administration Directorate in the same manner as was the drug question, i.e., a meeting or series of meetings chaired by the DDA or A/DDA in which the Office Heads of Medical Services, Security and Personnel participate.

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Acting Director of Personnel

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